REMARKS

This Request for Reconsideration is submitted in response to the Official Letter dated October 18, 2004, in which the Examiner rejected Claims 1-23. The Examiner also objected to Claims 6, 7, 9, 11, 12, 13, 16, 17, 19, 20, 22 and 23 as being multiple dependent claims. Applicants filed a Preliminary Amendment with the present application to correct the multiple dependencies. Applicants' Representative has verified that the Preliminary Amendment is in the Image File Wrapper system. Applicants can provide a copy of the Preliminary Amendment if the Examiner requires it. Applicants believe that the Preliminary Amendment should obviate the Examiner's objection to these claims. Claims 1-23 remain pending. In view of the following remarks, favorable reconsideration of the application is respectfully requested.

The Examiner rejected Claim 1 as being unpatentable under 35 U.S.C. 102(b) over EP 0890470 A2 to Sawamoto et al. (hereinafter Sawamoto). The Applicant respectfully disagrees. The Applicants' invention discloses that the first data processing means be adapted to determine a target lane in which the host vehicle will be located when it has traveled along the projected path by the distance to the target object. The Examiner states that the processing means shown in Sawamoto (Column 9, Line 44) can determine in which lane the host vehicle will be located and has traveled along the projected path by the distance to the target object. The Applicants submit that this is not the case. Although the Sawamoto system does plot paths for the target vehicles (as can be seen in Fig. 7 with respect to elements P and Q) Sawamoto does not extrapolate the path of the host vehicle Z by the distance of the target vehicle.

Rather, in the section of Sawamoto that is cited by the Examiner, Sawamoto discusses the lane change of the host vehicle Z being detected rather than predicted. Detection implies discovery or discernment of an event happening in the past or present, while prediction implies foretelling what will happen in the future. The system disclosed in Sawamoto does not predict which lane the host vehicle will be in after having traveled the distance of the target vehicle along the projected path. Instead, it relies on detecting lane changes through the use of a yaw sensor or similar detection mechanism. As described in the Specification, this can result in an

inaccurate, and therefore, undesirable result. While the processor of Sawamoto on the host vehicle may estimate a future path for the vehicle (Column 9, Lines 51-53) there is no discussion for what this prediction is to be used. In particular, there is no discussion of predicting the position of the host vehicle when it has traveled the distance to the target. This feature is neither explicitly or implicitly taught by the citation and therefore Claim 1 is not anticipated by Sawamoto.

The Examiner additionally states that Fig. 7, in combination with the description of Sawamoto in Col. 9, Line 44, discloses that the processor can predict the future position of the host vehicle. From this, the Examiner states that it would be obvious to one skilled in the art to determine the position of the host vehicle when the vehicle has traveled by the distance to the target object. However, there is nothing in Sawamoto to suggest doing so. Specifically, there is nothing to suggest taking this determined position by a second processing means in order to determine, for example, the lane in which the host vehicle will be traveling when it has traveled the distance to the target. Without any disclosure, suggestion, or enablement to do so, a person skilled in the art would not choose to do so. As such Claim 1 is not anticipated by, nor is Claim 1 obvious over Sawamoto. Accordingly, Claim 1 is patentable over the cited references. In addition, since Claims 2-23 depend from Claim 1, those claims should also be allowable for at least that reason.

In view of the foregoing remarks, it is believed that the Application is in condition for Allowance. Accordingly, an early Notice thereof is respectfully requested. However, if the Examiner feels that he is unable to issue a Notice of Allowance for any reason, Applicants request that the Examiner contact Applicants' attorney, Shital A. Shah, at 419.255.5900 to discuss this case.